

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

H. LESTER WALD,)
)
 Plaintiff,)
)
 v.)
)
 MUDHOPPER OILFIELD SERVICES, INC. and)
 MATTHEW W. BROOKS,)
)
 Defendants.)

COMPLAINT

1. The Plaintiff is an individual residing within this District.

2. The Defendant Mudhopper is a corporation organized under Oklahoma law having a residence within this District.

3. The Defendant Brooks is an individual residing within this District.

4. Jurisdiction is based on 28 U.S.C. § 1338(a).

5. United States Patent No. 6,655,475 was issued on April 21, 1987.

6. At all times material hereto, the Plaintiff has been the owner of U.S. Patent No. 6,655,475.

7. The Defendants, acting in concert, have infringed U.S. Patent No. 6,655,475.

8. The Defendants, acting in concert, have actively induced infringement of U.S. Patent No. 6,655,475 by others, including customers of the Defendant Mudhopper.

9. The Defendant Brooks has actively induced infringement of U.S. Patent No. 6,655,475 by the Defendant

Mudhopper.

10. The Defendants, acting in concert, have engaged in contributory infringement of U.S. Patent No. 6,655,475 by selling and offering to sell components, materials and apparatus, not a staple article or commodity of commerce suitable for substantial non-infringing use, for use in practicing U.S. Patent No. 6,655,475, such components, materials and apparatus constituting a material part of the patented invention. The Defendants have known the components, materials and apparatus to be especially made and adapted for use in infringing U.S. Patent No. 6,655,475.

11. The Plaintiff has complied with the marking requirements of 35 U.S.C. § 287(a).

12. The actions described in paragraphs 7, 8, 9 and 10 have been willful.

13. The Plaintiff has been damaged by the actions described in paragraphs 7, 8, 9, 10 and 12 have been willful.

The Plaintiff requests awards of damages, increased damages, interest, attorney fees and costs, an injunction against infringement, active inducement of infringement and contributory infringement, an order impounding infringing articles, and all equipment and materials by means of which such infringing articles may be produced, and such other relief to which Plaintiff is entitled.

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A jury trial is demanded.